

REMARKS

Applicants first wish to note that the Examiner has allowed claims 1-12. Therefore, further discussion with respect to these claims is considered moot.

The present invention relates to a method of verifying the functionality of a listening transceiver used to estimate the interference power ratio (C/I ratio). A listening receiver tunes to the control channel for the home base station and listens for access requests from mobile terminals. A control channel transceiver at the home base station also receives the same access requests. If the control channel receives the request and the listening receiver does not, a controller assumes that the listening receiver is dysfunctional and generates an alarm. If, however, both transceivers receive the request, the signal strength of the signal received by the control channel transceiver is compared to the signal strength of the signal received by the listening transceiver. An alarm is generated by the controller if the comparison of the two received signal strengths differs by more than a predetermined value.

The Examiner rejected claim 13 under 35 U.S.C. § 103(a) as being unpatentable over Yoon in view of Dejmek. Claim 13 recites, "verifying that the first transceiver is functional by comparing the access request received by the first transceiver with the access request received by the second transceiver." The Examiner admits that Yoon – the primary reference - fails to teach or suggest *any* of the limitations of claim 13, but asserts that Yoon discloses "verifying [the] operation of a first transceiver." Yoon teaches a base station having a plurality of transceivers, one of which serves as a backup transceiver. Each transceiver includes an alarm detection unit that detects abnormal conditions. Upon detection, a signal is generated to a controller to switch to the backup transceiver. However, the detection units of Yoon are *independent* of one another. They do nothing more than detect a problem with their own associated transceiver. There is never any verification of the generated signal, and certainly no verification by comparing access requests received by the other receivers. Yoon, col. 3, ln. 64 – col. 4, ln. 11. Moreover, the access requests of claim 13 are received by a second

transceiver that listens to the control channel of the first transceiver. Yoon, in contrast, does not disclose a second transceiver that listens to a control channel of a first transceiver.

Dejmek discloses a diagnostic method for diversity repeaters in which a diagnostic circuit uses received signal strength to determine the health of the repeaters. Specifically, each repeater reports its received signal strength to the diagnostic circuit, which then checks the reported strengths against a predetermined threshold. However, the diagnostic circuitry of Dejmek compares each repeater's reported received signal strength against the threshold *independently* from each of the signal strength measurements reported by the other repeaters. None of the reported signal strength measurements have any bearing whatsoever on any of the other signal strength measurements reported from any of the other repeaters. The diagnostic circuitry in Dejmek never compares the reported signal strength measurements to each other, and Dejmek never suggests that it does. Indeed, Dejmek specifically teaches the use of independent comparators – one for each repeater - to make the comparison. *Dejmek*, col. 2, ll. 27-43.

Therefore, neither Yoon nor Dejmek teach or suggest, alone or in combination, claim 13. Accordingly, Applicants respectfully request the allowance of claim 13, and it dependent claims 14-15.

The Examiner also rejected claims 16 and 27 under 35 U.S.C. § 103(a) over the same art and for similar reasons as those stated above. Applicant has amended claim 16 to correct a minor deficiency not noted by the Examiner. However, claims 16 and 27 contain language that requires the signals received by the two transceivers to be compared against each other. As such, both Yoon and Dejmek fail to teach or suggest, alone or in combination, claim 16 and claim 27. Accordingly, Applicants respectfully request the allowance of claims 16 and 27, as well as their respective dependent claims 17-23 and 28-30.

The Examiner also rejected claim 24 under 35 U.S.C. § 103(a) as being unpatentable over Yoon in view of the publication to Uhlik. Claim 24 has been amended to clarify that the

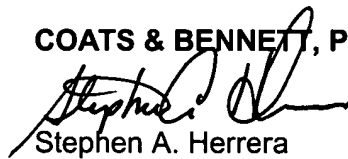
first and second transceivers listen to the same control channel. As amended, claim 24 recites, "listening for access requests on a control channel associated with the local base station with the first transceiver ... and ... generating a first alarm if a second transceiver listening on the control channel receives an access request that was not received by first transceiver." As stated above, Yoon never suggests that any of the transceivers listen to the control channel of any of the other transceivers, and neither does the Examiner. Uhlik discloses that a mobile terminal may make an access request to a base station, but never suggests that more than one transceiver listens to the same control channel for the access request. Uhlik merely discloses that a base station listens for an access request to determine whether the request represents a new call, or a hand-off of an existing call. *Uhlik*, ¶ 0080.

Finally, Applicants respectfully request that the Examiner withdraw the objection to the drawings, and specifically Figure 1. Figure 1 illustrates a communications network, but it does not reflect prior art. As described in the "BRIEF DESCRIPTION OF THE DRAWINGS" section and throughout the specification, the network of Figure 1 may be a network used according to the present invention. Thus, Figure 1 does not illustrate prior art.

Respectfully submitted,

COATS & BENNETT, P.L.L.C.

By:



Stephen A. Herrera
Registration No. 47,642

P.O. Box 5
Raleigh, NC 27602
Telephone: (919) 854-1844
Facsimile: (919) 854-208